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NO. 8776 P. 2/4

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PATENT

Docket No. VAC-260.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
MANFRED REITER, et al. )  
Serial No.: 10/006,881 ) Art Unit: 1648  
Filed: 12/10/2001 )  
For: Method for Large Scale Production of ) Examiner: Chen, Stacy Brown  
Virus Antigen )  
)

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**UNDER 37 CFR §1.181**

Mail Stop Issue Fee  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Facsimile No.: 571-273-8300

Sir:

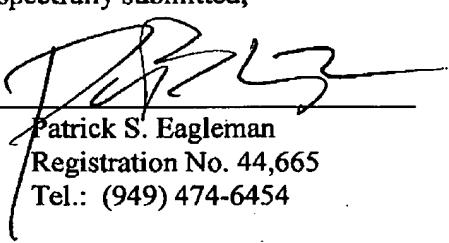
Applicant hereby petitions to withdraw the holding of abandonment, because the Issue Fee was in fact paid on April 15, 2005. This petition is filed within 2 months of a Notice of Abandonment mailed on July 28, 2005. The following documents are attached as proof that the Issue Fee was timely paid:

1. Auto-Reply Facsimile Transmission from the USPTO dated 4/15/2005, with copy of Form PTOL-85, Part B, as proof that the Issue Fee was facsimile transmitted on that date.

This Petition and attachments are being transmitted by facsimile to USPTO, General Fax No. 571-273-8300.

Respectfully submitted,

By

  
Patrick S. Eagleman  
Registration No. 44,665  
Tel.: (949) 474-6454

Baxter Healthcare Corporation  
P.O. Box 15210  
Irvine, CA 92623-5210

## Auto-Reply Facsimile Transmission



TO: Fax Sender at 949 474 6330

Fax Information

Date Received:

Total Pages:

4/15/2005 9:50:30 AM [Eastern Daylight Time]

3 (including cover page)

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Received  
Cover  
Page

=====>

### Facsimile Cover Sheet

To: Mail Stop Issue Fee

Company: USPTO

Fax No: 703 746 4000

cc:

From: Diane Branham - Patent  
General Paralegal

Company: Baxter Healthcare Corporation  
Law Department

Phone: (949)474-8438

Fax: (949)474-6330

e-mail: diane\_branham@baxter.com

Date: April 15, 2005

Pages including  
this cover page: 3

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COMMENTS: Form 1701-85, Part B - Fee Transmittal (in duplicate) for  
US Serial No. 10/066,881

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the above-identified document is being transmitted  
(in duplicate) by facsimile to USPTO, Fax. No. 703 746 4000 on April 15,  
2005.

By Diane Branham  
Diane Branham

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Baxter Healthcare Corporation  
PO Box 15210  
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08/18/2005 HDMESS2 00000003 021440 10006881

01 FC:1501 1400.00 DA  
02 FC:1504 300.00 DA

**Certificate of Mailing or Transmission**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the **Mail Stop ISSUE FEE** address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Diane Branham	(Depositor's name)
<i>Diane Branham</i>	(Signature)
April 15, 2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,881	12/10/2001	Manfred Reiter	V-260.00	2884

TITLE OF INVENTION: METHOD FOR LARGE SCALE PRODUCTION OF VIRUS ANTIGEN

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	5/23/2005
EXAMINER		ART UNIT	CLASS-SUBCLASS		

CHEN, STACY BROWN 1648 435-235100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
<input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.	<u>1. Townsend and Townsend &amp; Crew</u>
<input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rcv 03-02 or more recent) attached. Use of a Customer Number is required.	<u>2. Patrick S. Eagleman</u>
3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)	

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Baxter Healthcare S.A.

Kanton Zurich, Switzerland

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

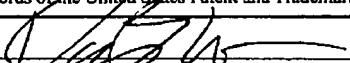
Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 02-1440 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature 

Date April 15, 2005

Typed or printed name Patrick S. Eagleman

Registration No. 44,665

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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ATTENTION: MAIL STOP ISSUE FEE

Group Art Unit: 1648

**OFFICIAL COMMUNICATION TO:**

MAIL STOP: ISSUE FEE  
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ALEXANDRIA, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following document(s) in re Application of REITER, et al., Application No. 10/006,881, filed December 10, 2001 for METHOD FOR LARGE SCALE PRODUCTION OF VIRUS ANTIGEN are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181; and
2. Auto-Reply Facsimile Transmission dated April 15, 2005, with copy of Form PTOL-85, Part B, submitted on same day.

Total number of pages being transmitted, including this page: 4

Dated: August 17, 2005 By Mary Stickle  
Mary Stickle

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